

REMARKS

Applicant requests reconsideration and further examination of this application.

In this Detailed Action, the Examiner rejected Claims 1-2, 4-6, and 8-13 under 35 U.S.C. § 102(b) as being anticipated by *Scott*, United States Patent Number 5,099,530, and Claims 3, 7, and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Scott* in view of *Ong*, U.S. Patent Number 6,647,570. Applicant has canceled Claims 2, 3, 12, and 14. Therefore, the rejections of Claims 2 and 12 under § 102(b) and Claims 3 and 14 under § 103(a) are now moot. Applicant has amended Claim 1, and, as argued below, believes that amended Claim 1 is now allowable. Claims 4-11 and 13 are dependent upon newly amended Claim 1, or upon an intervening claim, and Applicant believes these dependent claims are also allowable in their own right or as being dependent upon an allowable claim.

Applicant has amended Claim 1 to clarify that the mat has “an upper surface and a back surface”; the storage pouch “is on the upper surface of the mat” and is “equal in width to the mat”; and that the blanket is “attached to said storage pouch”. Applicant has removed the unnecessary limitation of the pillow being “on said mat”. No new matter has been added, as these amendments are supported in the original specification, for example, on page 4, line 12 through page 5, line 26, and in the original drawings wherein embodiments are shown that include the storage pouch on the upper surface of the mat, the storage pouch spanning the width of the mat, and the blanket attached to the storage pouch.

Further, Applicant has amended Claim 1 to include: a storage pouch having “a lower half that is a portion of the upper surface of the mat and an upper half that is a flap extending over the upper surface of the mat”; the upper half of the storage pouch having “a bottom edge and two side edges that are attached to said mat”, and “a top edge that is the extremity of the pouch nearest the top end of the mat” wherein the top edge of the storage pouch is “unattached from said mat to form an opening into the storage pouch that is adapted for receiving the portion of the mat not covered by the pouch”. No new matter has been added, as these amendments are supported in the original specification, for example, on page 5, lines 14 - 31, and in the original drawings wherein embodiments are shown that include the bottom edge and two side edges of the storage pouch attached to the mat and wherein the top edge is unattached from the mat and is nearest the top end of the mat.

Literal support has been added on pages 4 and 5, and call-out numbers have been added to Figures 2 - 4, without adding new matter. Specifically, call-out numbers for the upper surface 111, back surface 211, top (head) end 115, bottom (foot) end 116 have been added to the Description and Drawings. Also, literal support for the top edge and/or opening of the storage pouch being an “extremity” is added to the Description, by making reference to the top edge being the extremity of the storage pouch nearest the top (head) end of the mat, as is clearly shown in the original drawings.

Applicant believes that independent Claim 1 is novel and unobvious in view of the cited art. *Scott*, United States Patent Number 5,099,530, teaches a cover sewn to form a rectangular envelope enclosed at the head portion and longitudinal sides, and open at the end of the foot portion. Further, *Scott* teaches that a “flexible exercise or rest pad or mat M can be inserted into the open end 15 of the foot portion 12 of the envelope such that the cover 10 substantially covers the mat”(column 3, lines 59-62). *Scott* teaches a pad or mat “completely covered by the fabric cover”(column 4, lines 13-14), not a storage pouch for “receiving the portion of the mat not covered by the pouch”. Additionally, *Scott* teaches storing the mat by folding the sections in an accordion fashion, as shown in *Scott* Figures 3 and 3A. There is no teaching or suggestion in *Scott* to fold the mat and insert the folded mat in a compact form into any portion of the cover or into any of the pockets 20, 22. Especially, *Scott* does not teach a storage pouch at or near the bottom/foot end having an unattached top edge that is the extremity edge of the pouch nearest the top/head end of the mat and that forms an opening for receiving the mat. Further, neither *Scott*’s pocket 20 nor pocket 22 is equal in width to *Scott*’s covered mat, and therefore it would be clumsy or impossible to fold the covered mat and insert it into either pocket 20 or 22.

Ong, United States Patent Number 6,647,570, discloses a pair of flexible pouch panels “disposed atop a relatively small area or region of the cover and are secured to the cover throughout about their peripheral boundary edges”(column 1, lines 59, 61). There is no suggestion in *Ong* to extend the pouch panels the entire width of the cover as claimed in Claim 1. Further, *Ong* does not disclose free edge 54, or the opening defined by edges 54 and 52, as being the “extremity of the pouch nearest the top end of the mat”. Rather, attached boundary edge 42 of the first pouch panel is the extremity nearest the top end of the mat. In order to store the cover, as disclosed in *Ong* (see Figures 16-18), the “longitudinal marginal portions of the

cover 112 are then folded inwardly toward the center of the bedding article 110, parallel to the side edges 20 and 22" the end portions of the cover "are then folded inwardly on top of the pocket region 58 of the cover 112"(column 9, lines 3-7). Following the folding of the cover so that it is positioned on top of the pocket region, the second pouch panel is "turned inside out and pulled around one end of the folded cover", as shown in Figure 19. The first pouch panel is also "turned inside out and pulled over the other end of the folded cover". Therefore, *Ong* stores the entire cover within the storage pouch, by the storage pouch being turned completely inside out around the cover. Due to the narrow width of the *Ong* storage pouch relative to the item on which it is placed, and its two panel pocket system that places the opening in the center of the pouch, combining the *Ong* storage pouch with *Scott's* mat would result in a storage pouch too narrow to receive the entire mat. *Ong's* two panel system and central opening would make it clumsy and/or impossible to fold the mat into the pouch – in effect, only half of the *Ong* pouch would be available to receive the folded mat and only a small portion of the folded mat could be inserted into the pouch.

Therefore, the combination of elements in *Scott* and *Ong* does not disclose the upper half of the storage pouch having "a top edge that is the extremity of the pouch nearest the top end of the mat" and that is "unattached . . . to form an opening". The obviousness test is not satisfied because a combination a *Scott* and *Ong* does not result in Applicant's invention as claimed in Claim 1. Further, there is no suggestion in either disclosure to combine these references, or to modify the combination, to arrive at this result. Further, it would not be obvious to one of average skill in the art to combine the two references, or to make the modifications, because doing so would completely change the structure and function of the two individual references. Therefore, there is no *prima facie* case of obviousness, and Applicant respectfully requests the Examiner remove the rejection of Claim 1.

Applicant has amended Claim 6 to clarify that the blanket includes "an extension portion having a blanket fastener" and that the upper half of the storage pouch includes "a bottom surface at or near the top edge of the upper half having a cooperating pouch fastener". Further, the blanket "extends into the storage pouch to contact the bottom surface of the upper half of the pouch and the blanket fastener connects to the pouch fastener". No new matter has been added, as these amendments are supported in the original specification on page 6, line 12 through line

17, and in the original drawings (see Figures 1 and 2) where it is clear that the blanket attaches to the bottom surface of the top edge of the storage pouch.

Applicant believes that dependent Claim 6 is novel and unobvious in its own right in view of the cited art. *Scott* teaches only that the “bottom layer 17 at the open end is provided with fasteners F” and one end of the extended portion (call-out 18) is provided with mating fasteners (column 4, lines 49-52). Further, *Scott* does not suggest moving or attaching the extended portion to the top layer of the open end of the foot portion. If one used the “bottom layer” blanket/storage pouch attachment system, as disclosed in *Scott*, with Applicant’s storage pouch, the attachment of the blanket to the lower half of Applicant’s storage pouch could prevent a user from extending his/her feet into the storage pouch while sleeping (see Applicant’s Figure 1).

Regarding Claim 6, *Ong* discloses a pocket permanently stitched on to the blanket, not a blanket removably attached to a portion of the storage pouch. Clearly, *Ong* does not disclose any blanket fastened to either free edge 52, 54 of his pouch.

Therefore, Applicant believes Claim 6 is allowable in its own right, as well as because it is dependent on intervening Claims 4 and 5, which are dependent upon Claim 1. Applicant respectfully request that the Examiner allow Claim 6.

Applicant submits new independent Claim 15, which claims a mat with “a foot end, a head end, an upper surface, and a back surface”; wherein a storage pouch is positioned on “the upper surface of the mat at or near the foot end having an opening at an extremity of the storage pouch that is nearest the head end”; the mat is adapted to “fold into a compact shape and be inserted into said storage pouch through the opening”; the storage pouch has a “fastener on an interior surface of the storage pouch at or near the opening and the mat has a fastener on the back surface”; and as the mat is folded from the head end into the storage pouch the “storage pouch fastener attaches to said fastener on the mat back surface to hold the mat within the pouch”.

Claim 15 is supported in the original language of the specification, for example, on page 5, line 24 through page 6 line 8, and in the original drawings (see Figures 4 and 6) wherein embodiments are shown with a fastener on the back surface of the mat and this fastener attaches to the fastener on the interior surface of the storage pouch.

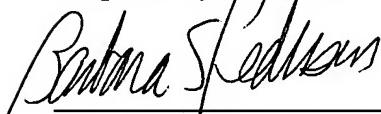
Applicant believes Claim 15 is novel and unobvious in view of the cited art. *Scott* discloses fasteners at the opening 15 of the envelope for attaching to the blanket, but *Scott* does not teach an additional fastener on the back surface of the envelope for cooperating with the opening fastener in order to enclose the folded mat within the envelope/opening. Further, *Scott*'s opening 15 is different in position and structure from Applicant's opening in Claim 15.

Ong discloses a pocket with two panels, "the first and second panels 14 and 16 are provided with mutually engageable , releaseable fasteners" where the two panels overlap (column 6, line 66 through column 7, line 2). *Ong* does not teach an additional fastener on the back of the cover, nor does *Ong* suggest that the fasteners could be fastened to any other item than its cooperating panel fastener. Applicant believes new independent Claim 15 is novel and unobvious, and respectfully requests that Examiner allow Claim 15.

Applicant has also submitted new Claims 16-18, which are dependent upon independent Claim 15. These claims have been amended to include a sleeping pad wherein the "pouch and said opening are the same width as the mat"(Claim 16); a pillow "integral with the mat at said head end"(Claim 17); or a pillow "fastened to the mat at said head end"(Claim 18). Applicant believes that these dependent claims are allowable in their own right and because they are dependent upon allowable Claim 15.

Applicant now believes the application, and Claims 1, 4-11,13, and 15-18, are in condition for allowance and respectfully requests the same.

Respectfully submitted,

 Date: June 9, 2004

Ken J. Pedersen, Registration No. 29,689

Barbara S. Pedersen, Registration No. 36,237

P.O. Box 2666

Boise, ID 83701-2666

Telephone: 208-343-6355

Facsimile: 208-343-6341